

REMARKS

This amendment responds to the office action mailed March 11, 2005. In the office action, the Examiner has rejected claims 1-40 as being anticipated by Zirngibl et al. (US Patent 6,798,867).

After entry of this amendment, the pending claims are: claims 1-40.

CLAIM AMENDMENTS

Applicants have respectively amended independent claims 15, 25, 28, and 38 to recite a message intake module, executed by a central processing unit, for **recording and storing** a voice organizer message created by a first user. No new matter has been added by these amendments.

CLAIM REJECTIONS – 35 U.S.C. 102(e)

As a general observation, the present invention is directed to method and system of (re)delivering **static** voice messages recorded by a user to one or more targeted users according to a predefined schedule. In contrast, Zirngibl is directed to method and system of administering a **dynamic** voice-based service to a subscribed user including prompting the user for input and executing queries in response to the user-entered input. Therefore, the present invention and Zirngibl operate in two completely different domains.

More specifically, claim 1 of the present invention recites a method of delivering voice organizer messages. The first step of the method is to **record and store** a voice organizer message created by a first user before delivering the message to a second user on a specified date.

For instance, according to one embodiment depicted in FIG. 1, the hardware employed by a voice organizer system 100 for creating messages includes at least one voice card 130. A user of the system 100 creates a message for one or more targeted users by making a phone call remotely through a public service telephone network (PSTN) 140. The system uses the voice card 130 to capture the message, converts it from an analog signal to a digital signal, and then stores the digitized message in a particular organizer mailbox 170 associated with the user. While the pending claims do not include all these details, the embodiment of FIG. 1 does show that the verb “recording” in the claims means a physical process of recording a user’s voice message.

In contrast, Zirngibl does not teach or suggest the recording step recited in claim 1. Zirngibl teaches a method of conducting real-time queries in response to real-time user inputs. Although the Examiner contends that Zirngibl teaches the feature of recording a voice organizer message from a first user (col. 10, lines 40-48 and col. 16, lines 46-63), applicants respectfully disagree.

A careful review of Zirngibl shows that the paragraph on col. 10, lines 40-48 discusses the execution of an existing voice service according to predefined schedule and the paragraph on col. 16, lines 46-63 discusses how an existing voice service is delivered to a targeted user. Neither paragraph addresses the issue of how to create a voice service.

Actually, the creation of a voice service is discussed in Zirngibl from col. 12, line 59 to col. 14, line 67 in connection with FIG. 1b. The first step of creating a voice service is to solicit from a user a name and a description through an interface. The user is prompted to type the name and description of a newly-created voice service into different open typing fields on a computer monitor screen. In other words, there is no hardware and/or software in Zirngibl supporting a user to enter the name and description of a voice service **vocally**. Information defining a voice service is all entered into a database manually. Applicants have searched through the specification of Zirngibl and has found no occurrence of any terms like “record”, “recording”, “tape”, or “taping”, etc.

Similarly, each of the independent claims 12, 15, 25, 28, and 38 recites the feature of recording and storing a voice organizer message from a first user that is missing in Zirngibl.

Further, claim 7 of the present invention recites a feature of associating a **message-specific passcode** with a voice organizer message. Support for this feature can be found in FIG. 2 wherein, for each message data structure 230, there is a passcode 140 associated with the message. In other words, the passcode assigned to a first message may be different than the passcode assigned to other messages, because the passcode for the first message is message-specific.

The Examiner argued that a PIN of Zirngibl is equivalent to a message-specific passcode of the present invention. However, “PIN” is a well-known acronym for “personal identification number,” which is a number of string used by a particular user to identify him or herself. In other words, a PIN in Zirngibl is associated with an individual user, not with a particular voice service. In fact, the user, upon receipt of a phone call from a system according to Zirngibl, must enter or speak his or her PIN to prove his or her identity before

proceeding with the service. Subsequently, when the user receives another call related to a different service, he or she has to re-enter the same PIN to identify him or herself.

Therefore, there is no separate password associated with each individual voice service. As long as the user can prove his or her identity by entering the correct PIN, he or she will be able to access all the voice services to which he or she has subscribed.

In sum, since Zirngibl has not disclosed the feature of recording and storing a voice organizer message or the feature of associating a message-specific passcode with the voice organizer message, claims 1-40 are not anticipated by Zirngibl.

CONCLUSION

In light of the above amendments and remarks, the Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney at 650-843-7501, if a telephone call could help resolve any remaining items.

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Respectfully submitted,



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